

UNITED STATES DISTRICT COURT  
DISTRICT OF MARYLAND  
GREENBELT DIVISION

**SAQIB ALI**  
Montgomery County, Maryland

Plaintiff,

v.

**LAWRENCE HOGAN**, in his official capacity as Governor of Maryland,  
100 State Circle  
Annapolis, MD 21401

**BRIAN FROSH**, in his official capacity as Attorney General of Maryland,  
200 St. Paul Place  
Baltimore, MD 21202

Defendants.

Case No. 1:19-CV-00078-BPG

**PLAINTIFF'S NOTICE OF SUPPLEMENTAL AUTHORITY**

**PLAINTIFF SAQIB ALI'S NOTICE OF SUPPLEMETAL AUTHORITY**

As supplemental authority in support of his Opposition to Governor Hogan's Motion to Dismiss, Saqib Ali respectfully submits the attached Memorandum Opinion issued in *Amawi v. Pflugerville Independent School District*, 18-CV-1091, Dkt. 82 (W.D. Tex. Apr. 25, 2019).

The court in *Amawi* granted a preliminary injunction enjoining Texas from enforcing H.B. 89 "or any 'no Boycott of Israel' clause in any state contract." Slip Op. at 56. The court reasoned that "[NAACP v. Claiborne Hardware Co., 458 U.S. 886 (1982), not [Rumsfeld v. FAIR, 547 U.S. 47 (2006)], controls this case." Under

*Claiborne*, “the Court concludes that Plaintiffs’ BDS boycotts are inherently expressive conduct. Slip op. at 26. The court then found that Texas’s anti-BDS law was not narrowly tailored and did not serve a compelling state interest. Slip Op. at 32-37. As a result of the court’s analysis, the Texas anti-BDS law was “an unconstitutional content- and viewpoint-based restriction on speech.” *Id.* at 37.

The court further found that the Texas anti-BDS law was an unconstitutional condition on government contract work, *id.* at 38-40, that its certification requirement was unconstitutional compelled speech, *id.* at 41-43, and was void for vagueness, *id.* at 43-46.

Plaintiffs respectfully submit that the court’s analysis in *Amawi* is persuasive and will greatly assist the Court in deciding the Governor’s Motion to Dismiss. Respectfully submitted,

May 2, 2019

CAIR LEGAL DEFENSE FUND

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